



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2634  
#2041  
Response  
11.26.02

In re application of : Confirmation No. 9227  
Mitsuaki OSHIMA et al. : Docket No.2000\_1130  
Serial No. 09/662,695 : Group Art Unit 2634  
Filed September 15, 2000 : Examiner A. Le  
COMMUNICATION SYSTEM :

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RESPONSE

THIS IS AUTHORIZED  
FOR DEPOSIT IN THE  
PAPER TO DEPOSIT  
NO. 23-0975

Assistant Commissioner for Patents,  
Washington, D.C.

Sir:

This paper is in response to the Office Action mailed August 28, 2002.

Before responding to the Office Action, Patentees point out that the Examiner returned an initialed copy of the Form PTO 1449 of the Information Disclosure Statement filed January 5, 2001. However, the Examiner did not initial the Wei U.S. patent reference (reference AA on the form). Therefore, it is requested that the Examiner initial the Wei reference and send the initialed copy of the Form PTO 1449 along with the next communication from the PTO.

It is also noted that another Information Disclosure Statement was filed with the PTO on September 26, 2002. If the Information Disclosure Statement is not present in the PTO file, it is requested that the Examiner contact the undersigned attorney by telephone so that the Examiner can properly consider the references cited therein when acting on the present application.

In the Office Action, claims 14 and 15 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 12 of U.S. Patent No. 5,600,672. It is submitted that this rejection is improper and inapplicable to claims 14 and 15. The present application is a reissue application of U.S. Patent No. 5,600,672. Further, the original patent was surrendered to the PTO on July 18, 2001 in the parent application of the present application. The Serial No. of the parent application is 09/244,037. Moreover, as is the case in the present application,

in the parent application claim 12 of the original patent 5,600,672 has been canceled, and original claim 12 is not present in any of the currently pending reissue applications of U.S. Patent No. 5,600,672.

In view of the above, it is submitted that the present application is in condition for allowance. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

Mitsuaki OSHIMA et al.

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